

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

JESSE CARMON,

Plaintiff,

v.

MARK SITES, *et al.*,

Defendant.

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

Case No.: 1:14-cv-428-GBL-TRJ

**FINAL PRETRIAL ORDER**

This matter is before the Court on the final pretrial conference. **IT IS HEREBY ORDERED** that this matter is set for a **three (3)** day jury trial beginning on **March 9, 2015**.

**IT IS FURTHER ORDERED:**

**I. Dispositive and Pretrial Motions; Pretrial Filings**

A. Any dispositive motions, including motions for summary judgment, and any pretrial motions, including motions in limine, are to be filed no later than **Friday, January 9, 2015 at 5:00 p.m.**;

B. All oppositions to dispositive and pretrial motions are to be filed no later than **Friday, January 23, 2015 at 5:00 p.m.**;

C. All replies to dispositive and pretrial motions are to be filed no later than **Wednesday, January 28, 2015 at 5:00 p.m.**;

D. A hearing on all dispositive and pretrial motions is scheduled for **Friday, February 6, 2015 at 10:00 a.m.**;

E. All motions, oppositions to motions, replies, and other supporting documents are to be electronically filed and two courtesy copies should be delivered to Chambers. Courtesy copies of motions, oppositions to motions, replies, and other supporting documents should be grouped together and delivered in two separately tabbed binders; and

F. All exhibit lists and witness lists are to be electronically filed and submitted to chambers by **Monday, March 2, 2015 at 5:00 p.m.**;

## **II. Jury Instructions and Voir Dire**

A. A jury instruction conference will be conducted before closing arguments. The purpose of the jury instruction conference is to determine which instructions will be given to the jury;

B. To prepare for the jury instruction conference, the parties must meet and confer. Parties should review their proposed jury instructions based on the evidence or course of proceedings at trial and determine which instructions are agreed upon and which are disputed;

C. The parties shall electronically file and submit to chambers **one joint set of agreed upon jury instructions by Monday, March 2, 2015 at 5:00 p.m.** The parties must submit two hard copies (one with citations and one without) and one email that contains the two files (one with citations and one without) in MS Word format. The instructions submitted should be the full verbatim instructions that the parties would like read to the jury. An illustrative copy of a sample jury instruction is attached to this Order;

D. The parties shall also electronically file and submit to chambers submit **disputed jury instructions and a verdict form by Monday, March 2, 2015 at 5:00 p.m.** Each party must submit their own hard copies and emails that contain the files (one with citations and one without) in MS Word format. For identification purposes, the plaintiff should letter his or

her set of disputed instructions and the defendant should number his or her set of disputed instructions. A brief statement of objections or argument in support of the instruction should be appended to each disputed instruction;

E. During the jury instruction conference, the Court will hear brief argument from both sides on any disputed instructions and decide what instruction will be given. The Court will decide whether to give an instruction and how the instruction will be worded. Before or during the conference, the parties may withdraw previously proposed instructions as necessary;

F. Before instructing the jury, the Court will provide all parties with a copy of the jury instructions that will be used so that the parties may follow the reading in court. The Court will provide several copies of the jury instructions for the jury's use during deliberations; and

G. Voir Dire. The judge will conduct the questioning. Each party should electronically file and submit proposed questions as set forth in the local rules no later than **Monday, March 2, 2015 at 5:00 p.m.** The parties should submit two courtesy copies of any proposed questions submitted directly to Chambers. Any additional questions that may arise after submission of any proposed questions should be submitted directly to Chambers prior to the commencement of voir dire;

### **III. Technology in Court**

A. Laptop Computers. Counsel is permitted to use laptop computers in the courtroom during trial. Please submit to my law clerk, Preston Smith (Preston\_Smith@vaed.uscourts.gov), a joint proposed order regarding the electronics you would like permission to bring into the courthouse;

B. Document Display System. If Counsel desires to use the document display/video system, please contact the Clerk's Office to request that the system be set up prior to trial. Counsel must arrange with the Clerk's Office to be trained on the document camera, the system used to display exhibits, before trial begins. No documents should be placed on the system, which have not been shown to opposing counsel and admitted into evidence by the Court; and

**IV. Court Hours**

A. The Court will sit **Monday, March 9, 2015 to Wednesday, March 11, 2015** from 10:00 a.m. until 5:00 p.m. The lunch recess will be from 1:00 to 2:00 p.m.

**IT IS SO ORDERED.**

ENTERED this 24<sup>th</sup> day of October, 2014.

Alexandria, Virginia

10 21 / 2014

\_\_\_\_\_/s/  
Gerald Bruce Lee  
United States District Judge

JURY INSTRUCTION NO. \_\_\_\_\_

Stipulations

The plaintiff and the defendant have entered into stipulations as to certain facts. A stipulation is an agreement among the parties that a certain fact is true. You should therefore treat those facts as true as having been proved.

(Adapted from 1 Sand, Siffert, Loughlin, Reiss, Modern Federal Jury Instructions, Section 5.02, Instruction 5-6).)

JURY INSTRUCTION NO. \_\_\_\_

The plaintiff and the defendant have entered into stipulations as to certain facts. A stipulation is an agreement among the parties that a certain fact is true. You should therefore treat those facts as true as having been proved.